

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DALE W. THORPE and RENEE M. THORPE,	:	
Plaintiffs,	:	
v.	:	CIVIL ACTION NO. 14-6154
	:	
UPPER MAKEFIELD TOWNSHIP, <i>et al</i>	:	
Defendants.	:	

ORDER

AND NOW, this 5th day of November 2015, upon consideration of Defendants' Motion to Dismiss or for Summary Judgment [Doc. No. 15] and the responses and replies thereto, it is hereby **ORDERED** that the Motion is **GRANTED in part and DENIED in part** as follows: All claims against Defendant Kernan are **DISMISSED**, Count V is **DISMISSED** as to Upper Makefield Township, and Count IV is **DISMISSED** against all Defendants. The Motion is otherwise **DENIED**.

It is further **ORDERED** that Plaintiffs are granted leave to file a motion for leave to file an Amended Complaint within **21 days** of the date of this Order. If Plaintiffs choose to file such a motion, it must include a proposed Amended Complaint as an exhibit. If Plaintiffs do not file a motion for leave to file an Amended Complaint, then Defendants shall answer the Complaint within **28 days** of the date of this Order.

It is so **ORDERED**.

BY THE COURT:

/s/Cynthia M. Rufe

CYNTHIA M. RUFE, J.